

# EXHIBIT 6

**From:** [Andrew Guzzo](#)  
**To:** [Dan Winikka](#)  
**Cc:** [Simon, Craig](#); [Kristi Kelly](#)  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11  
**Date:** Friday, October 25, 2024 6:03:34 PM  
**Attachments:** [image001.png](#)

---

External (aguzzo@kellyguzzo.com)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#). Powered by INKY

It was a typo. I think the Court will understand which number and, if not, we will get it corrected.

We will get a motion to modify put together in Galloway 2. Might not happen tonight, but no later than Monday.

Andrew J. Guzzo, Esq.

**Kelly Guzzo**, PLC

Direct Dial: 703-424-7576

E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)

Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030

Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Date:** Friday, October 25, 2024 at 6:56 PM

**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>

**Cc:** Simon, Craig <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>, Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>

**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

These are the 2 orders the letter refers to. One was entered in all 3 cases (Galloway I, II and Williams) and the other just in Williams. My client is okay with the motion to vacate and order (with my edits) relating to the "Order Regarding Procedures for Settlement Conference" filed solely in the Williams case. I just noticed, however, that your motion references ECF 1562. The order is 1561. Is there a 1562 order or was that a typo? Putting aside the trustee motion issue, the other order (ECF 677) entered in all 3 cases should be (i) vacated from Williams and Galloway I and (ii) modified to remove the requirement that Matt's counsel attend the November 15 hearing.



DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523

[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>

**Date:** Friday, October 25, 2024 at 5:33 PM

**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Cc:** "Simon, Craig" <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>, Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>

**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Dan,

I am a bit confused here. Mr. Tassone consented to the settlement because it was in the best interest of the beneficiaries of the Trust, which is Rebecca and her children. Given that she will be in attendance, I think it makes complete sense that Mr. Tassone would be there to determine what is in the best interest of Rebecca and the trust. We too want to maximize the effectuation of the settlement, but believe it makes sense to get all of the decisionmakers in a room.

We need to get this on file tonight so it can be fully briefed. However, I am happy to continue to discuss this with you next week.

I am confused about all three cases reference. Does something need to be modified in Galloway 2? Also, I was just going to adapt your changes to Galloway 1 and file. Do you need to see it?

Andrew J. Guzzo, Esq.

**Kelly Guzzo**, PLC

Direct Dial: 703-424-7576

E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)

Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030

Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Date:** Friday, October 25, 2024 at 6:22 PM

**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>

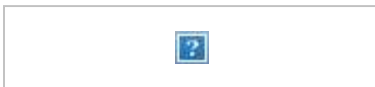
**Cc:** Simon, Craig <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>, Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>

**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Andrew, the October 18 Order in Galloway II requires plaintiffs file a motion “to secure the full participation of Mr. Anthony Tassone in settlement discussions.” The central purpose of the settlement agreement is to settle and resolve Matt’s judgment and his liability to consumer borrowers beyond the scope of the judgment. His rights under the settlement agreement are an asset of his estate. In addition, the Braviant shares (50% of which were to fund the settlement if possible), have been alleged to be assets that can be clawed back into his estate. The trustee confirmed on October 17 that he would participate in monthly updates with Judge Colombell. We can send you that confirmation. There is no need for the trustee to be at a settlement conference, particularly if there is any risk it could evolve into discussions, like occurred last time, about altering the deal that centers on resolving Matt’s potential liability. If the settlement conference is solely to see if Rebecca’s alleged potential liability can be resolved separate from the settlement agreement (which is what our understanding is), there is no need for the trustee to participate in any fashion. There is also no need to wait until November 13 for the trustee to participate in an update with Judge Colombell. That can likely take place next week. There is therefore also no need to enforce anything against the trustee. He is not in breach and has confirmed his willingness to participate in monthly updates with Judge Colombell exactly as he agreed. My client has serious concerns that filing a motion enforcing something against the trustee (which he will likely feel compelled to respond to) or entry of an order compelling the trustee to travel to VA or to do anything beyond “participate in a monthly update” could create risks and put the settlement in jeopardy. As an example, any engagement with the trustee about increasing the 50% cap would almost certainly evolve into issues relating to Matt’s commitment to the trustee (a bankruptcy estate issue), which not only runs the risk of violating the stay, but also would give the trustee unnecessary concerns. We still want to maximize the chances of getting the existing settlement consummated and believe the motion will be counter-productive.

Given all that, we suggest that in your motion to vacate/modify the order in all 3 cases, you explain that plaintiffs have secured the agreement of the trustee to participate in a monthly update with Judge Colombell before November 13. Accordingly, you do not believe that the motion contemplated in that order to secure the trustee’s participation is necessary and that, in fact, requiring the trustee to be at a settlement conference runs a risk of being counter-productive. Thus, plaintiffs are requesting that the requirement to file a motion against the trustee be eliminated as unnecessary.

Separately, when are you sending the draft motion to vacate/modify the order entered in all 3 cases?



Dan Winikka

Founder & Attorney at Law  
Direct 469-384-7710  
Mobile 214-402-4523  
[www.danwinlaw.com](http://www.danwinlaw.com)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Date:** Friday, October 25, 2024 at 4:48 PM  
**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Cc:** "Simon, Craig" <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>, Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Thanks. It needs to be filed today so would appreciate a response.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Sent:** Friday, October 25, 2024 10:03:00 AM  
**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Cc:** Simon, Craig <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>; Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

We are okay with motion for extension. Will get back to you on motion to enforce settlement and compel trustee.

**Error! Filename not specified.**

DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is

strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Date:** Friday, October 25, 2024 at 2:11 PM  
**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Cc:** "Simon, Craig" <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>, Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Attached please find:

1. ECF 1559.
2. The Motion for Enforcement of the Settlement Agreement
3. The Motion for Extension and Proposed Order.

Andrew J. Guzzo, Esq.  
**Kelly Guzzo, PLC**  
Direct Dial: 703-424-7576  
E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)  
Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030  
Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Date:** Friday, October 25, 2024 at 3:04 PM  
**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Cc:** Simon, Craig <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Can you send me ECF 1559?



DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Date:** Friday, October 25, 2024 at 1:41 PM  
**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Cc:** "Simon, Craig" <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Dan,

Please see the attached. Once we are agreed, we will attempt for Galloway 1.

Andrew J. Guzzo, Esq.  
**Kelly Guzzo**, PLC  
Direct Dial: 703-424-7576  
E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)  
Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030  
Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

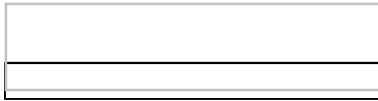
Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Date:** Friday, October 25, 2024 at 2:09 PM  
**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Cc:** Simon, Craig <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Also, the order entered in all three cases, if it is entered only in Galloway II, needs to remove the requirement for Matt's counsel to appear at the hearing. As discussed, we want to see the motions to vacate or modify the orders before you file and remember that if the stay violation letter is going to be attached to anything the Braviant name needs to be redacted.

---



DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Date:** Friday, October 25, 2024 at 1:02 PM  
**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Cc:** "Simon, Craig" <[csimon@meadowscollier.com](mailto:csimon@meadowscollier.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Andrew, with respect to the motion regarding participation of the trustee, we will need to see the motion and proposed order before giving any position regarding the automatic stay.



DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---



**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Date:** Friday, October 25, 2024 at 11:03 AM  
**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Just tried to merge you in. 610-704-5851.

Andrew J. Guzzo, Esq.  
**Kelly Guzzo**, PLC  
Direct Dial: 703-424-7576  
E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)  
Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030  
Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>  
**Date:** Friday, October 25, 2024 at 12:02 PM  
**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

I am having trouble with this number. Is the number below correct?



DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.

---

**From:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>  
**Date:** Friday, October 25, 2024 at 10:26 AM  
**To:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Cc:** Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>

**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

We can use this dial in:

(605) 313-4812  
431671#

Thanks,

Andrew J. Guzzo, Esq.

**Kelly Guzzo**, PLC

Direct Dial: 703-424-7576

E-mail: [aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)

Fairfax Office: 3925 Chain Bridge Rd., Ste. 202, Fairfax, VA 22030

Honolulu Office: 500 Ala Moana Blvd., Ste. 7400, Honolulu, HI 96813

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee.

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Date:** Thursday, October 24, 2024 at 9:46 PM

**To:** Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>

**Cc:** Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>

**Subject:** Re: Stay Violations -- Martorello Case 24-90016-mxm-11

Okay. My co-counsel Craig Simon will join as well.

Sent from my iPhone

On Oct 24, 2024, at 5:36 PM, Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)> wrote:

Dan,

Are you available tomorrow to discuss this? How about noon EST?

Thanks

Andrew

---

**From:** Dan Winikka <[dan@danwinlaw.com](mailto:dan@danwinlaw.com)>

**Sent:** Thursday, October 24, 2024 2:20:38 PM

**To:** Kristi Kelly <[kkelly@kellyguzzo.com](mailto:kkelly@kellyguzzo.com)>; Andrew Guzzo <[aguzzo@kellyguzzo.com](mailto:aguzzo@kellyguzzo.com)>

**Subject:** Stay Violations -- Martorello Case 24-90016-mxm-11

Kristi and Andrew, please see attached.

<image001.png>

DAN WINIKKA  
FOUNDER & ATTORNEY AT LAW  
DIRECT 469-384-7710  
MOBILE 214-402-4523  
[WWW.DANWINLAW.COM](http://WWW.DANWINLAW.COM)

The message and information contained in or attached to this communication is privileged, confidential and intended only for the person or persons named above. If you are not the intended recipient of this transmission, you are hereby notified that any dissemination, distribution or copying of this communication to anyone other than the intended recipient or recipients is strictly prohibited. If you receive this communication in error, do not read it. Please immediately reply to the sender that you have received this communication in error and then please delete this communication from your computer. Thank you.